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LOCAL GOVERNMENT ELECTIONS IN ONTARIO

**Final Report of the Advisory Committee
on Municipal Elections to
the Minister of Municipal Affairs**

February, 1987

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FOREWORD

This report concludes our study of the local government electoral process in Ontario.

Since the Interim Report was released last August, we have been evaluating and fine tuning our original recommendations in light of further information received and in view of comments and suggestions made during the second phase of consultation.

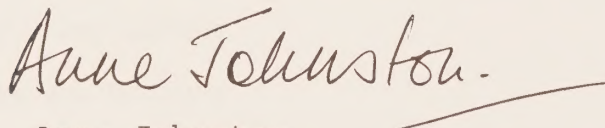
We wish to express our sincere appreciation to all local governments, local government associations, other groups and interested citizens who took the time and effort to respond to the recommendations of the Interim Report. In particular, we would like to thank the people who worked most closely with us: Heather Adams, Alan Dewar, Brian Loreto, George Manios, David Martin, Helen McLean, Doug Raven, and Sylvi Woldenga. We are also grateful to the staff of the Ministries of Education and Revenue who assisted us in our task.

In addition, we would like to thank the Chief Electoral Officer of Canada, the Chief Election Officer of Ontario, the Chairman and staff of the Commission on Election Finances, as well as the Ontario Advisory Council for Senior Citizens, the Ontario Advisory Council for the Physically Handicapped and the Ontario Advisory Council on Multiculturalism and Citizenship for their contributions.


Finally, the Committee thanks the Honourable Bernard Grandmaitre, Minister of Municipal Affairs, for the opportunity to contribute to the health of the local democratic process in Ontario.



Mary Erichsen-Brown
Committee Member



Anne Johnston
Committee Member



Gerald Parisien
Committee Member

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CHAPTER ONE

INTRODUCTION

BACKGROUND

Since its establishment in February, 1986, by the Honourable Bernard Grandmaitre, the Advisory Committee on Municipal Elections has been conducting a review of the local government electoral process in Ontario. Appointed as Committee Members for the first phase of the review were Anne Johnston, former Toronto alderman and a past member of the Board of Directors of the Association of Municipalities of Ontario (AMO); and Gerald Parisien, former Mayor of Cornwall and a past AMO president. They were joined in September by Mary Erichsen-Brown, former Simcoe County Board of Education trustee and a past vice-president of the Association of Large School Boards of Ontario, to provide advice on election issues unique to school boards.

There has been little change in the local government election process since the Municipal Elections Act was first enacted as a separate piece of legislation in 1972. Over the years, problems have arisen with respect to enumeration, qualifications of electors, ballot counting and recounts. In addition, the Act

does not take into account the special needs of disabled or ethnocultural voters, and does not address campaign financing issues. It was the Committee's task to identify problems and issues, and recommend appropriate changes to the Act.

In the first phase of the review, the Committee held more than 27 meetings with associations, groups and individuals and received more than 200 letters and briefs from municipalities, school boards, associations and interested citizens. At the same time that issues and concerns were raised and clarified, staff undertook research into election provisions of all three levels of government across Canada and of other countries.

This consultation and research culminated in the August 25 release of Issues and Options: An Interim Report on Municipal Elections in Ontario, at the annual conference of the Association of Municipalities of Ontario in Toronto. The Interim Report provided a description of issues and alternatives, and made tentative recommendations. It was sent to all Ontario municipalities, school boards, public utilities' commissions and local government associations, as well as other interested groups and individuals for their comments.

The second phase of the review began in September, as the Committee began the process of reconsidering and refining its

initial recommendations, focussing on the details of their implementation and adjusting them in light of new information. A second period of consultation followed, with meetings with interested groups and more than 250 letters and submissions received.

ISSUES AND APPROACHES

The Committee found that issues raised with respect to the local government electoral process were of two types: administrative problems with the current system and issues of fairness and accessibility that the existing legislation does not address.

The administrative problems, though not new, required a fairly technical approach and discussions with other government agencies involved in the electoral process. Enumeration problems, for example, seem to stem primarily from the short time available to Ministry of Revenue staff to compile the voters' lists. As a result, complaints are often heard from eligible voters whose names are not on the voters' list or who are not listed accurately. Recount procedures required serious consideration, and the Committee was particularly interested in alternatives that would reduce the burden on the courts. Other administrative issues dealt with by the Committee included clarification of

voter and candidate qualifications, ballot marking and counting, and the date of assumption of office.

Issues of fairness and accessibility have arisen as a result of our society's greater sophistication and sensitivity to the problems of multicultural groups and the disabled. These issues were much more difficult to deal with, requiring new policies and procedures.

The Committee was particularly concerned with improving accessibility for those with linguistic or physical difficulties, and with more local government education for the general public. Its recommendations include broader provisions for use of proxy voting, and earlier voting days, as well as comprehensive proposals for voter education and accessibility.

A second major concern was the increasing cost, and potential for abuse, of local government election campaigns. The Committee believed that a candidate should not have to be wealthy, or supported by monied interests, in order to run for local public office, and that open government requires greater public scrutiny of campaign contributions. At all levels of government the time has come when access to information and the "right to know" is being demanded by the public. This is particularly important for municipal council candidates because municipalities have a major

responsibility for land use planning and development.

Accordingly, the Committee has recommended mandatory disclosure of campaign contributions and spending by all local government candidates. In addition, campaign spending and donation limits are recommended for all local government candidates. An optional tax credit proposal is recommended to provide an incentive for more individuals, especially those of more limited means, to contribute.

The diversity of Ontario's 839 municipalities required special consideration. Election problems in large, medium and small municipalities are vastly different. There are also differences among elections for municipal councils, school boards and public utilities' commissions.

The Committee attempted to deal with this diversity by providing flexibility, where possible, to the proposals, while recommending that the process be reviewed after each election to ensure that the provisions have had the intended results.

New policies and procedures also require new structures. The Committee realized fairly early in the review that much of what it wanted to accomplish could not easily be done through existing institutional arrangements. The implementation of the Committee's recommendations would require much greater

coordination than the existing process could provide. In particular, the fragmentation of responsibilities among several government agencies gave rise to the proposal for a single central agency to advise and assist the participants in the local government electoral process.

The Committee would again like to thank the many interested individuals, municipalities, school boards, public utilities' commissions, associations and other groups that provided valuable comments and suggestions following the Interim Report. As a result, the Committee believes that it has been able to improve on its original recommendations to produce a Final Report that will make administration of local government elections easier, more accountable and more accessible.

CHAPTER TWO

THE COMMITTEE'S FINAL RECOMMENDATIONS

This report to the Minister of Municipal Affairs concludes the Committee's review of the local government electoral process. Throughout the review, the initial recommendations remained subject to change and adjustment as submissions, research and practical considerations provided new insight into the issues. Principles of fairness and accessibility had to stand the test of practicality; administrative improvements had to further the Committee's goals of efficiency and accountability.

The 88 final recommendations that follow are presented under subject headings, with the corresponding interim recommendation numbers noted in parentheses. Some are new, some have been changed, and several of the original recommendations have been eliminated after further consideration.

CONSOLIDATION OF ELECTORAL PROVISIONS

(Interim Recommendation 2: 1)

The proposal for a single Act written in modern language was well received by the majority of those who commented on the Interim Report. In order to assist the Minister, the Committee has

commissioned the drafting of legislation, including the recommended changes, which will be published as a supplement to this report. To recognize the fact that local elections are held for school boards and public utilities' commissions, as well as municipalities, the proposed Act should be called the Local Government Elections Act. The Committee suggests that a number of election terms currently in use should be abandoned in favour of more up-to-date terminology. For example:

<u>Current</u>	<u>Proposed</u>
polling day	voting day
polling subdivisions	voting divisions
list of electors	voters' list
advance poll	advance vote
polling hours	voting hours
polling place	voting station

Recommendation 1 The Committee recommends that all provisions pertaining to the local government electoral process be modernized and consolidated within an Act, to be entitled the Local Government Elections Act.

ONTARIO LOCAL GOVERNMENT ELECTIONS COMMISSION

(Interim Recommendations 2: 2 - 2: 14)

In order to improve administration and accessibility, the Committee recognized quite early in its review that, just as fragmentation of the legislative provisions for local government elections creates confusion and reduces the effectiveness of the electoral process, so does the fragmentation of institutional arrangements. The Committee has recommended a framework that will retain the considerable strengths of the current system, while providing for a central coordinating and advisory body to overcome its deficiencies.

The concept of a central agency to oversee the local government electoral process met with a mixed reaction. It quickly became evident that the role of the "Ontario Municipal Elections Commission" proposed in the Interim Report was not clearly understood. The establishment of an "Ontario Local Government Elections Commission", the name now proposed, would provide an impartial and representative body to oversee the electoral process; provide advice and interpretation with respect to legislation governing local government elections to municipal clerks in their capacity as returning and revising officers; provide training and educational material for election officials, candidates and newly elected local government representatives; and undertake to study electoral issues, as the need arises.

It should be stressed that the Commission would function as an advisory body only and that there is no intent to detract from the statutory duties of municipal clerks. On the contrary, it is the Committee's view that their role should be enhanced.

A number of submissions commented that the terms of office of the members of the Commission should be staggered. The Committee agrees and has made provision for staggered terms for the appointed members.

In this report, two additional duties have been assigned to the proposed Commission: a review and evaluation of the election legislation after each election, and the development of a handbook to serve as a guide to the Local Government Elections Act.

The proposed Commission is an essential device for implementing many of the recommended improvements to the local government election process. Its proposed structure and responsibilities are described in the following recommendations.

Recommendation 2 The Committee recommends that the Government of Ontario establish a commission, named the Ontario Local Government Elections Commission, composed of:

- (a) one nominee from each of the Association of Municipalities of Ontario, the Ontario School Trustees' Council, the Municipal Electric Association, and the Association of Municipal Clerks and Treasurers of Ontario, appointed by the Lieutenant Governor in Council on the advice and recommendation of their respective Boards of Directors. The nominees of each association shall be private citizens;
- (b) a member of the Law Society of Upper Canada, appointed by the Lieutenant Governor in Council;
- (c) the Chief Election Officer of Ontario, who shall be an ex-officio member;
- (d) the Chairman of the Commission on Election Finances (Ontario), who shall be an ex-officio member;
- (e) one person, who shall be a private citizen, appointed by the Lieutenant Governor in Council on the advice and recommendation of the Minister of Education; and
- (f) a Chair, who shall be a private citizen, appointed by the Lieutenant Governor in Council on the advice and recommendation of the Minister of Municipal Affairs.

Recommendation 3 The Committee recommends that the term of office of the appointed members of the proposed Commission, be limited to a maximum of five years and that no member be reappointed for more than one additional term. The Committee further recommends that an appointed member who has served for two consecutive terms be eligible for appointment to the Chair.

Recommendation 4 The Committee recommends that the members of the proposed Commission, except those who are ex-officio members, be paid per diem allowances, with the exception of the Chair, who shall receive a salary.

Recommendation 5 The Committee recommends that the members of the proposed Commission shall not, during their term of office, hold any elected federal, provincial or local government office.

Recommendation 6 The Committee recommends that the powers and duties of the proposed Commission, in cooperation with municipal clerks, include:

- (a) the general administration of the local government electoral process;
- (b) assisting and advising returning and revising officers;

- (c) coordinating the training of election officials;
- (d) producing publications to assist election officials in discharging their duties and responsibilities;
- (e) conducting studies on the local government electoral process;
- (f) producing publications to assist the public to become more aware of local government;
- (g) producing publications to assist candidates and newly elected councillors, trustees and public utilities' commissioners; and
- (h) organizing meetings and conferences for the information of election officials, municipalities, school boards, public utilities' commissions and the public.

Recommendation 7 The Committee recommends that the proposed Commission conduct a review of the election legislation following each election and make recommendations for amendments as, in its opinion, are required.

Recommendation 8 The Committee recommends that the proposed Commission develop a handbook to serve as a guide to the proposed Local Government Elections Act.

Recommendation 9 The Committee recommends that, upon the advice and recommendation of the Minister of Municipal Affairs, the Lieutenant Governor in Council appoint a person, who is an employee of the Ministry of Municipal Affairs, to the position of Local Government Elections Officer, and Secretary of the proposed Commission.

Recommendation 10 The Committee recommends that the duties and responsibilities of the proposed Local Government Elections Officer, in cooperation with municipal clerks, include:

- (a) direction and supervision of the administrative conduct of elections; and
- (b) issuing to returning officers such instructions as are considered necessary to assist in the effective execution of the provisions of the legislation.

Recommendation 11 The Committee recommends that municipal clerks continue to be the returning and revising officers.

Recommendation 12 The Committee recommends that adequate human and financial resources for the operation of the proposed Commission be provided by the Ministry of Municipal Affairs.

Recommendation 13 The Committee recommends that the proposed Commission and the Ministry of Municipal Affairs, in cooperation with the Association of Municipal Clerks and Treasurers of Ontario, develop a manual for the training of election staff, a course on the conduct of elections and other training tools, including both printed material and audio-visual presentations.

Recommendation 14 The Committee recommends that the proposed Commission establish guidelines respecting the recruitment of election staff.

VOTING DIVISIONS

(Interim Recommendations 2: 12 and 2: 13)

The Committee's proposal for a study of the merits of having identical voting divisions at all three levels of government was well received. In addition, the recommendation that voting division boundaries be determined early in an election year was supported.

Recommendation 15 The Committee recommends that the proposed Commission, in cooperation with both the Chief Electoral Officer

of Canada and the Chief Election Officer of Ontario, consider the feasibility of establishing coterminous voting divisions.

Recommendation 16 The Committee recommends that the legislation require the municipal clerk, in dividing the municipality into voting divisions, to inform the Regional Assessment Commissioner of the boundaries of each division no later than the 15th day of January in an election year.

USE OF ADDITIONAL ELECTION PERSONNEL TO COUNT BALLOTS

(Interim Recommendation 2: 14)

A number of submissions commented that returning officers already have the authority to use additional election personnel for the counting of ballots. The Committee has been advised that subsection 4(5) of the Municipal Elections Act does not provide such authority. The intent of this recommendation is to provide clear authority for returning officers to use additional election personnel to assist the original shift of personnel in the counting of ballots.

Recommendation 17 The Committee recommends that the legislation provide clear authority for returning officers to use additional election personnel to assist in the counting of ballots.

AUTOMATED VOTING

(Interim Recommendation 2: 15)

The Committee maintains its position that automated voting would ultimately improve ballot counting and the reporting of election results. It recognizes that, although the technology exists, the high cost associated with the acquisition and servicing of such equipment cannot be justified by most municipalities. Automated voting, therefore, is an option for the future and will require careful consideration prior to its implementation.

Recommendation 18 The Committee recommends that the proposed Commission and the Chief Election Officer of Ontario study the use, acquisition and financing of automated voting systems and counting equipment for general use in private and public elections in Ontario, and that guidelines be established for those who wish to participate.

VOTERS' LISTS

(Interim Recommendations 3: 1 - 3: 4)

As noted in the Interim Report and confirmed by the responses received to that report, enumeration in its present form is inadequate. To provide a remedy, the Committee recommends that the concept of a permanent voters' list be re-examined as a long-term goal, and that, as an interim measure, the present

enumeration be conducted earlier in an election year to provide additional time to prepare a more complete and accurate list of electors.

Statistics on residential property transfers supplied to the Committee indicate that, contrary to the popular perception, moves from one residence to another do not occur just during the late spring and early summer months, but at about the same rate throughout the year. Therefore, a May-June enumeration should not create more problems than it solves.

During the Committee's deliberations following the release of the Interim Report, it was suggested that consideration be given to the use of self-enumeration, along the lines of the federal census. Self-enumeration would allow electors to identify themselves, their religious designation and their linguistic designation directly, without the necessity of visits by enumerators, and might prove to be considerably less costly. This method could be evaluated through a pilot project conducted by the Ministry of Revenue in 1988.

To improve the quality of the data base maintained by the Ministry of Revenue for assessment and enumeration purposes, all changes to the voters' list which occur up to and including voting day should be reported promptly to the Regional Assessment Commissioners by the municipal clerks.

The Committee perceives the need for a provision to permit electors whose school designation (linguistic or religious) has been incorrectly identified on the voters' list to correct the designation, for electoral purposes only, particularly in light of recent amendments to the Education Act relating to French or English language governance. The Committee believes that the amendments will create substantial confusion, and add to the difficulties of enumeration as well as increase the workload of the election staff. However, it is hoped that a voter education program will encourage electors to take advantage of the longer revision period proposed, and to notify the municipal clerk of the correct designation at an early date. In this case, the Committee's goal of improving access to voting outweighed the potential administrative burden. The specific recommendations follow.

Recommendation 19 The Committee recommends that the proposed Commission, and the Ministries of Municipal Affairs and Revenue, in cooperation with the Chief Election Officer of Ontario, study the concept of a permanent voters' list.

Recommendation 20 The Committee recommends that enumerations take place between May 15th and June 30th of an election year; that the preliminary lists of electors be delivered by the

Regional Assessment Commissioners to the municipal clerks by July 15th; and that the revision period begin on August 15th and end on September 15th.

Recommendation 21 The Committee recommends that the Ministry of Revenue conduct a pilot project in 1988 to determine the feasibility of self-enumeration, similar to the federal census.

Recommendation 22 The Committee recommends that any elector whose religious or linguistic school designation is shown incorrectly on the voters' list be permitted to apply on or before voting day to the returning officer or to the deputy returning officer to have the designation corrected.

Recommendation 23 The Committee recommends that the municipal clerks be required to advise the Regional Assessment Commissioners of any changes to the preliminary list or the voters' list, including those made on voting day, within a time period to be prescribed by regulation.

Recommendation 24 The Committee recommends that the proposed Commission and the Ministry of Revenue undertake a publicity campaign to inform the public of the proposed changes to the local government electoral process.

QUALIFICATION OF ELECTORS

(Interim Recommendations 4: 1 - 4: 3)

Currently, a person who is a resident or an owner/tenant of land in a municipality or school board jurisdiction for only one day during the qualification period is eligible to vote in a local government election.

A six-month qualification period for all resident and non-resident voters was recommended in the Interim Report. This was intended to address a number of problems that had been identified by the Committee, including the inconsistency in federal, provincial and local voting qualifications, possible abuse of the current eligibility provision by persons with no real ties to the community, and administrative difficulties associated with preparing the voters' list.

Following discussions with students and other affected groups, it was concluded that the number of responsible voters who would be disenfranchised by the six-month qualification period outweighed the potential advantages.

In its recent deliberations, the Committee considered many alternatives, one of which was a shorter qualifying period for resident electors than for non-resident electors. This was in response to concerns expressed about non-residents by resident

electors in cottage country, but was unsatisfactory to the Committee because it represents an important departure from the Committee's mandate to improve, rather than restrict, participation by electors in local government elections.

It is the Committee's view that a qualification period of approximately one month for both residents and owners/tenants of land would best meet the needs of all parties concerned. The specific recommendations follow.

Recommendation 25 The Committee recommends that "person" be defined to mean "natural person", which excludes specifically a corporation, any representative of an estate, or trustee.

Recommendation 26 The Committee recommends that a person who is a Canadian citizen and who has attained the age of 18 years on voting day be eligible to vote in a local election, provided that between September 16 and voting day, he/she has continuously:

- (a) in the case of a resident elector, resided in the municipality or school board jurisdiction; or
- (b) in the case of a non-resident elector, been the owner or tenant of land in the municipality or school board jurisdiction, or the spouse of such owner or tenant.

Recommendation 27 The Committee recommends that the legislation clearly state that a person who occupies premises on a seasonal basis only is a non-resident elector of the municipality or school board jurisdiction in which such premises are located, provided that he/she meets the qualifications of a non-resident elector.

QUALIFICATION OF CANDIDATES/ELECTED REPRESENTATIVES

(Interim Recommendations 4: 4 - 4: 9)

The primary qualification of any person running for elected local government office is to be an elector of the jurisdiction involved. It is the view of the Committee and of the majority of the responses to the Interim Report that those who hold elected office should be required to maintain these qualifications during their term of office. However, should an elected representative temporarily lose his/her electoral status due to causes beyond his/her control, a remedy should be provided.

The Committee feels that, at least in large urban municipalities, candidates should be required to post a deposit when their nomination papers are filed. The Committee does concur that deposits for candidates in smaller municipalities, for school trustee and for public utilities' commissioner are not necessarily appropriate. In addition, requiring a larger number of signatures on nomination papers would impose a significant

burden on the municipal clerks and it would be difficult for them to confirm, in the time available, that the nominators are on the voters' list.

The Committee also concluded that its criteria for refunds of deposits required revision. Deposits should be returned in the event of a candidate's death or if a candidate withdraws from the election. The Committee recognized that in those instances where there are large numbers of candidates for a particular office, neither the successful candidate nor the first runner-up may be able to obtain 20 per cent of the votes cast. This figure has, therefore, been lowered and linked with the number of votes received by the person elected. The specific recommendations follow.

Recommendation 28 The Committee recommends that the conditions for seeking municipal office be strengthened by requiring a candidate in a municipality with a population of over 50,000

- (a) running for the office of head of council, to deposit the amount of \$200 in the form of cash, money order or certified cheque at the time at which his/her nomination papers are filed with the municipal clerk; and
- (b) running for all other offices, to deposit an amount of \$100 in the form of cash, money order or certified cheque at the

time at which his/her nomination papers are filed with the municipal clerk,

with the proviso that the deposit be automatically refunded on the filing of a declaration or a statement of campaign contributions and expenses, as applicable, with the municipal clerk to:

- (a) any candidate who is elected or who receives at least 10 per cent of the number of votes cast for the candidate receiving the greatest number of votes for the office involved;
- (b) the estate of any candidate who dies prior to voting day; and
- (c) any candidate who withdraws his or her nomination,

with the further proviso that all other deposits be retained by the municipality.

Recommendation 29 The Committee recommends that a person seeking local elected office, be it that of head of council, member of council, school board trustee, or public utilities' commissioner, be a qualified elector of the municipality, or of the school board or public utilities' commission jurisdiction, as the case

may be, and be required to maintain his/her qualifications during the term of office.

Recommendation 30 The Committee recommends that, in the event that a local elected representative fails to maintain his/her qualifications throughout the term of office, his/her seat be deemed vacant and shall be declared as such by the council or school board. However, the council or school board may grant an exemption for a period not exceeding three consecutive months, on the grounds that the representative has become temporarily disqualified through circumstances beyond his/her control.

LIMITS TO CAMPAIGN CONTRIBUTIONS AND EXPENSES

(Interim Recommendations 5: 9, 5: 10 and 5: 17)

The Committee feels very strongly that the health of our local government democratic process depends on equal opportunity for all qualified electors to become candidates for local office. If the costs of campaigning are so high that only candidates with considerable personal wealth or those backed by wealthy individuals or groups can afford to run, then fewer people will be able to run and their ability to represent the interests of the electorate fairly and impartially may be questioned. This is particularly a problem for at-large elections, and other alternatives may have to be considered.

A majority of the comments received on the Interim Report supported the Committee's proposed limits to campaign contributions and expenses. Some felt that the expense limits recommended were too generous. It should be emphasized that these amounts represent the maximum expenses allowed and that candidates are free to restrict their expenditures within the limits.

Campaign contribution limits are designed to restrict the potential undue influence by wealthy individuals and groups on successful candidates, by encouraging more donations from people of modest means.

The Committee has eliminated the \$3,000 limit on the aggregate of a donor's contributions to all candidates in a jurisdiction. The expenditure limit proposals have been further refined to take into account the existence of ward systems and to provide a basis for the calculation of expenditure limits.

Recommendation 31 The Committee recommends that the amounts contributed to any one candidate in a calendar year by an individual, corporation or other entity be limited to monies, goods or services totalling \$750 in value. This limit does not apply to candidates or to their spouses.

Recommendation 32 The Committee recommends that campaign expenses for candidates running at large in a municipality, or in a public utilities' commission or school board jurisdiction be limited to \$5,500 for candidates for head of council and \$3,500 for all other candidates, plus, for all candidates, an additional \$0.40 per elector in a jurisdiction with 1,001 to 20,000 electors; \$0.50 per elector in a jurisdiction with 20,001 to 100,000 electors; or \$0.45 per elector in a jurisdiction with more than 100,000 electors.

Recommendation 33 The Committee recommends that campaign expenses for all candidates running in a ward of a municipality, or in a public utilities' commission or school board jurisdiction be limited to \$3,500, plus an additional \$0.40 per ward elector in a jurisdiction with 1,001 to 20,000 electors; \$0.50 per ward elector in a jurisdiction with 20,001 to 100,000 electors; or \$0.45 per ward elector in a jurisdiction with more than 100,000 electors.

Recommendation 34 The Committee recommends that the numbers of electors used in the determination of limits for campaign expenses proposed in the preceding two recommendations be based on the voters' list.

TAX-CREDIT SYSTEM

(Interim Recommendations 5: 1 - 5: 7 and 5: 14)

Although a majority of the responses to the Committee's proposed tax-credit system were not supportive, a sizable minority were in favour of an optional tax-credit system. However, strong opposition was expressed to the suggestion that the system be funded through deductions from the participants' provincial transfer payments.

The Committee has reconsidered the possible methods of underwriting the cost of tax credits and concluded that, in the absence of direct federal or provincial subsidization, the best way is for the jurisdictions themselves to cover the cost from their own revenues. This method would allow public utilities' commissions to adopt the system. The Committee feels that the tax-credit system would be best administered by the municipal clerks and treasurers and that the legislation should provide the necessary authority for the municipalities to bill participating school boards or public utilities' commissions for tax credits paid on their behalf.

In addition to its recommendation that the Local Government Elections Act permit municipalities, school boards and public utilities' commissions to opt into a tax-credit system, the Committee has also recommended that the necessary by-law or

resolution be passed prior to an election year. The by-law or resolution shall not be revoked until the year following the election year. As a matter of fairness and to avoid confusion, the rules should not be changed once the process leading to an election has commenced.

There was considerable debate about the adequacy of the campaign-donation period and whether fundraising should be allowed throughout the entire term of office. The Committee concluded that many candidates, particularly those in large urban communities, would strongly oppose any restriction of their right to raise funds at any time. The Committee maintains its position that tax credits should only be provided for donations given during a certain period of time. However, it has concluded that the campaign-donation period proposed in the Interim Report is too short and that it should commence at the beginning of an election year.

A related issue is whether extensions to the proposed campaign-donation period should be permitted. A significant number of those who commented on the recommendation were opposed to the granting of any extension, on the grounds that the length of the proposed campaign-donation period is more than sufficient to permit candidates to raise the necessary funds to meet their campaign expenses. The Committee is of the opinion that, in view of the absence of political parties and constituency associations

to assist candidates in meeting their obligations, candidates should be afforded additional time to raise funds required to meet their debts, provided that they can demonstrate to the Commission on Election Finances that there is a good reason why an extension is necessary.

Under the Committee's proposal, although contributions may be made to any candidate at any time, subject to a limit of \$750 per candidate per calendar year, in order to be eligible for a tax credit, a donor must make his or her donation to a registered candidate during the campaign-donation period. The maximum tax credit which may be paid to any donor by any jurisdiction that has adopted a tax-credit system is \$750. Tax credits will not be applied to a ratepayer's account or paid in cash until the Commission on Election Finances has verified the accuracy of the financial statements of all the candidates in the jurisdiction.

Recommendation 35 The Committee recommends that the legislation permit municipalities, school boards and public utilities' commissions to pass a by-law or a resolution, as applicable, to provide tax credits for contributors to local election campaigns, and that the legislation be modelled on the Election Finances Act (Ontario). The Committee further recommends that a copy of any such by-law or resolution be forwarded immediately to the Commission on Election Finances and to the proposed Ontario Local Government Elections Commission and that school boards and public

utilities' commissions forward a copy of the resolution to the municipal clerk.

Recommendation 36 The Committee recommends that the legislation require that the by-law or resolution authorizing tax credits be passed prior to January 1st of an election year and that it remain in force at least for the balance of the term of office. No such by-law or resolution shall be repealed in an election year.

Recommendation 37 The Committee recommends that the Commission on Election Finances (Ontario) be responsible for the administration of the proposed tax-credit system.

Recommendation 38 The Committee recommends that the cost of the proposed tax-credit system be borne by the participating municipalities, school boards and public utilities' commissions, from their respective revenues. The Committee further recommends that the municipal clerk responsible for conducting the election be responsible for providing tax credits to the donors and that municipalities be authorized to recover the funds spent on behalf of participating school boards and public utilities' commissions.

Recommendation 39 The Committee recommends that the proposed enabling legislation for tax credits provide for a campaign-donation period, commencing on January 1st of an election year

and ending six months after voting day, during which campaign contributions will be subject to tax credits.

Recommendation 40 The Committee recommends that the Commission be authorized to extend the campaign-donation period proposed in recommendation 39 for any candidate who shows cause, for any period which the Commission deems appropriate.

Recommendation 41 The Committee recommends that any person seeking office on a municipal council, school board or public utilities' commission which has elected to provide tax credits for campaign donations be required to register with the Commission on Election Finances (Ontario) no earlier than January 1st of an election year and no later than nomination day.

Recommendation 42 The Committee recommends that a person registered with the Commission be permitted to issue receipts for tax credits during the proposed campaign-donation period.

Recommendation 43 The Committee recommends that the legislation provide that the maximum tax credit payable to a donor by any municipality, school board or public utilities' commission be \$750 in respect of any contribution made to registered candidates during the proposed campaign-donation period.

DISCLOSURE AND REPORTING OF CANDIDATES' EXPENSES AND
CONTRIBUTIONS

(Interim Recommendations 5: 8, 5: 11 to 5: 15 and 5: 19)

Disclosure represents the flip side of the coin of a healthy democratic process. For campaign spending and contribution limits to be effective, campaign records must be open to public scrutiny.

On the whole, the principle of disclosure of expenses and donations was supported in the submissions received by the Committee following the publication of the Interim Report. While the Committee is strongly in favour of disclosure for all candidates, it recognizes that in smaller communities or rural areas where the costs of conducting an election campaign may not be as great as elsewhere, or where it may be difficult to find enough candidates willing to run for office, the disclosure provisions could be less stringent, provided that no tax credits are involved. Therefore, it is suggested that, in jurisdictions without a tax-credit system, candidates who have received donations totalling less than \$1,000 and who have incurred expenses totalling less than \$1,000 should be required only to file a statutory declaration to that effect, rather than a detailed report.

The Committee's recommendation that there be a statutory requirement that all invoices for campaign expenses be submitted to the candidates within three months of voting day met with a mixed reaction. The main criticism was that such a provision would restrict the rights of creditors. While the Committee agrees that this criticism has some merit, it believes that this restriction is necessary to ensure that, where there is a tax-credit system, the process of reporting campaign expenses and contributions and later providing tax credits to donors will not be delayed. Moreover, regardless of whether there is a tax-credit system, candidates will know within a reasonable period of time whether they have incurred any liabilities as a result of their campaign for office, and whether they have exceeded their expenditure limits.

A slim majority favoured a statutory requirement that candidates' financial statements in jurisdictions with a tax-credit system be audited and filed with the Commission on Election Finances within six months of the election. The recommendation that the cost of auditing these statements be subsidized by the Commission met with a similar level of support.

Opinion was divided with respect to the treatment of surpluses. Those who objected to their being turned over to the jurisdiction concerned mainly felt that they should be retained by the candidate for use in future campaigns. Others were of the view

that, as the donations were given for the purpose of electing specific individuals to specific offices at a specific time, the donations should be used for that reason only. Some felt that, as much as possible, no candidate should have a financial advantage, by virtue of surplus donations from previous campaigns. The Committee considered these arguments and developed a compromise position. The recommendation was revised to permit candidates who intend to run again in the next election in the same jurisdiction to place their surplus donations in trust with the municipal clerk until the beginning of the next campaign period, so that those funds may not be used for any other purpose.

A significant majority of those who responded to the Interim Report agreed with the Committee that an enforcement provision is needed to ensure that all candidates in all jurisdictions comply with the reporting requirements. The Committee wishes to stress that this requirement applies whether there is a tax-credit system or not.

Recommendation 44 The Committee recommends that any candidate for local office in a jurisdiction with a tax-credit system be required to file an audited report of his/her election campaign contributions and expenses with the Commission on Election Finances (Ontario), with a copy to the municipal clerk, within

six months after voting day, unless the Commission has granted an extension.

Recommendation 45 The Committee recommends that the Commission on Election Finances (Ontario) subsidize the cost of auditing candidates' financial statements, as provided for provincial candidates.

Recommendation 46 The Committee recommends that all local government candidates in a jurisdiction without a tax-credit system be required to disclose their election campaign contributions and expenses within six months after voting day, unless such contributions and expenses do not exceed \$1,000, in which case a statutory declaration shall be made in lieu of an itemized report of contributions and expenses. Such reports or declarations shall be filed with the municipal clerk, who shall forward a copy to the proposed Ontario Local Government Elections Commission.

Recommendation 47 The Committee recommends that all invoices for campaign expenses be required to be submitted to candidates within three months of voting day.

Recommendation 48 The Committee recommends that any surplus produced by campaign donations for which tax receipts have been

issued be held in trust by the municipal clerk for any candidate who intends to seek nomination for elected office in the same jurisdiction and in the next election; and that, in the event that a candidate does not intend or fails to seek nomination in the next election, such surplus be turned over to the municipality, school board or public utilities' commission, as applicable.

Recommendation 49 The Committee recommends that a candidate who fails to meet the disclosure and reporting requirements which apply in the jurisdiction forfeit any deposit made, be immediately disqualified from office, if elected, and be ineligible to seek or hold local elected office for a period of six years from the date of the election.

TIMING OF ELECTIONS AND ASSUMPTION OF OFFICE

(Interim Recommendations 6: 1 and 6: 2)

The recommendation that voting day be advanced to the third week of October was supported by approximately one-half of those responding to the Interim Report. Those who opposed holding the elections in the third week of October mainly preferred the status quo, without indicating their reasons. Others expressed concern that earlier elections would mean a longer "lame-duck" period for the outgoing council, board or commission. In addition, it was pointed out that the mandatory advance vote

would fall on Thanksgiving weekend and would mean that the election staff would have to work on a holiday and might not be willing to do so. The Committee's request for comment on the relative merits of Sunday or Tuesday voting days elicited strong support for Tuesday.

The Committee accepts the argument that the current date of assumption of office is too far removed from the proposed date for elections, but is convinced that sufficient time should be provided between the date of the elections and the assumption of office for most recounts to have taken place. Therefore, the Committee proposes that the lame-duck period be no longer than a month. A one-month period should be sufficient for defeated representatives to vacate their offices and for newly elected representatives to prepare themselves to assume office.

Recommendation 50 The Committee recommends that voting day be the third Tuesday in October; that the mandatory advance vote be held on the Saturday ten days before voting day; and that nomination day be the Monday 29 days before voting day.

Recommendation 51 The Committee recommends that the date of assumption of office be no later than the third Monday in November.

VOTING HOURS

(Interim Recommendations 6: 4 and 6: 5)

The majority of responses to the Interim Report favoured common hours for advance and regular voting days, and preferred that they be from 11:00 a.m. to 8:00 p.m. Few supported the idea of permitting municipalities the option of extending voting hours, on the grounds that voting hours should be the same across the province to provide equal opportunity and access to voting and to avoid confusion if neighbouring municipalities, which form part of a larger community, adopt different voting hours.

Recommendation 52 The Committee recommends that voting hours for both regular and advance voting days be 11:00 a.m. to 8:00 p.m.

PROXY VOTING

(Interim Recommendation 6: 6)

A majority of submissions favoured the extension of proxy voting but expressed concern about potential abuse if a mechanism to control the use of proxies is not in place. The Committee agrees and has modified its recommendation to address this concern.

Recommendation 53 The Committee recommends that any elector who is unable to vote at the advance vote, or on voting day be

permitted to vote by proxy, provided that no person act as a voting proxy for more than one elector. A person may act as a voting proxy for more than one elector, provided that they are members of the immediate family, grandparents or grandchildren.

VOTING ACCESSIBILITY

(Interim Recommendations 6: 7 - 6: 11)

The Committee received considerable support for its recommendations relating to voting accessibility, except for those pertaining to closing schools on voting day and requiring the establishment of advisory committees to assist in the identification and location of accessible voting stations. The recommendation relating to the provision of curbside voting was perceived as being too vague.

The Committee reconsidered its position with respect to closing schools and now believes that it would be preferable to keep the schools open, so that they can be used as voting places and so that the students can participate in, or at least observe, the election process.

A number of responses commented that individual municipalities should have the right to decide whether an advisory committee is appropriate in their situation. The Committee agrees and has modified the recommendation to accommodate this concern.

There was some confusion as to the meaning of the term "curbside voting" and questions were also raised about the security of the ballot box, the secrecy of voting and the possible inconvenience to other voters. As a result, the Committee believes that curbside voting measures should not be introduced until a thorough examination of all pertinent issues has been undertaken by the proposed Ontario Local Government Elections Commission.

Recommendation 54 The Committee recommends that election officials ensure, where practical, that voting stations are accessible to seniors, to the mobility impaired and to persons with disabilities.

Recommendation 55 The Committee recommends that the issue of curbside voting be referred to the proposed Ontario Local Government Elections Commission for study.

Recommendation 56 The Committee recommends that the proposed Commission, in cooperation with the Ontario Advisory Council on Senior Citizens and the Ontario Advisory Council on the Physically Handicapped, recommend guidelines for accessible voting stations.

Recommendation 57 The Committee recommends that municipalities be encouraged to establish advisory committees to assist in the identification and location of accessible voting stations.

ELIMINATION OF LINGUISTIC/CULTURAL BARRIERS

(Interim Recommendations 6: 12 to 6: 16)

The reaction to the interim recommendations pertaining to the elimination of linguistic and cultural barriers to voting was generally positive. Opinion was divided, however, on the recommendation that, where numbers warrant, interpreters be hired. Some felt that this recommendation would be impractical for their communities and others felt that it should be permissive. The Committee concurs that it is difficult enough to find qualified election staff at the present time, let alone to find suitable interpreters who are familiar with the electoral process at any level. Accordingly, the Committee has revised its position.

Recommendation 58 The Committee recommends that, where numbers warrant, the proposed Commission translate the legislation into languages other than English and French.

Recommendation 59 The Committee recommends that, where numbers warrant, the proposed Commission, in cooperation with the Ministry of Citizenship and Culture and the Ontario Advisory Council on Multiculturalism and Citizenship, translate voter information and instructions, as well as any other publication relating to the local government electoral process, into

languages other than English and French, and disseminate the same.

Recommendation 60 The Committee recommends that, where numbers warrant, municipalities be encouraged to establish advisory committees consisting of persons of different linguistic and cultural backgrounds to assist in the dissemination of information with respect to the local government electoral process.

Recommendation 61 The Committee recommends that, where numbers warrant, the returning officer consider hiring interpreters to provide assistance at the voting station to voters of different linguistic backgrounds.

Recommendation 62 The Committee recommends that election staff be responsive to the linguistic and cultural needs of the electors and, where desirable and possible, that persons of appropriate linguistic and cultural backgrounds be employed as election staff.

MARKING OF BALLOTS

(Interim Recommendations 7: 1 and 7: 2)

A slight majority of the responses expressed a preference for the status quo regarding the marking of ballots. Nevertheless, the

Committee maintains its position that, to make determination of the validity of a ballot easier, the legislation should provide that ballots must be marked clearly and consistently, and within the circle provided to the right of the candidate's name. The Committee is aware that, in all likelihood, there is no satisfactory solution to this problem. A lot will depend on how much weight the courts will give to the intent of the voter.

Recommendation 63 The Committee recommends that the section of the proposed Local Government Elections Act which provides for the manner in which an elector marks his/her ballot require that a consistent mark, such as an "X", be made throughout the ballot, and all or part of the mark must be within the circle provided to the right of the candidate's name.

Recommendation 64 The Committee recommends that the proposed Commission and the Chief Election Officer of Ontario study the desirability of standardizing the markings on the ballot for both local and provincial elections.

RECOUNTS

(Interim Recommendations 7: 3 - 7: 11)

The Committee's recommended reform of the recount process met with a high level of approval. Although the concept of an elections tribunal to conduct initial recounts was endorsed by

the majority, there was some uncertainty as to how it would operate. Some opposed to the tribunal based their objection primarily on the costs of operating and administering the tribunal. Others noted their satisfaction with the way in which recounts are now conducted by the courts.

The Committee strongly believes that the workload which recounts have imposed on the already overburdened judiciary must be reduced. To this end, the concept of a recount officer has been developed which is an administratively simpler version of the tribunal concept. However, the Committee recognizes that disputes may arise concerning the validity of ballots which cannot be easily resolved by a recount officer. In those situations, if the candidate so requests, the dispute should be resolved by the courts. In addition, allegations made by electors that irregularities have occurred in the counting or in the handling of the ballots should be referred directly to the courts for determination as to whether a recount is warranted.

With regard to "automatic" recounts, some objections were made to the proposed formula on the grounds that it would result in too many recounts or that different criteria would apply in large and small jurisdictions. The formula has been revised, so as to apply the same standard to all jurisdictions. Although the recount formula will undoubtedly result in more recounts, the

Committee believes that this is warranted in the interest of fairness and democracy.

The Committee believes that, in the case of "automatic" recounts permitted upon request, only a short period of time is necessary for a candidate to make the request. Where there is a tied vote, no request is required. In all other cases, a thirty-day period should be afforded to interested parties to request a recount.

While the Committee maintains its view that the cost of conducting recounts should normally be borne by the jurisdiction involved, it recognizes that, where an application for a recount is before the courts or where a dispute has been referred to the courts by a recount officer, the courts must have the authority to apportion the costs as they see fit. This would act as a deterrent to frivolous or vexatious applications or references.

Recommendation 65 The Committee recommends that the legislation provide that a recount be conducted by a recount officer who shall be the municipal clerk, except that where he/she participated in the actual counting of the ballots or is unwilling or unable to conduct the recount, the proposed Local Government Elections Officer shall appoint the clerk of another municipality as recount officer.

Recommendation 66 The Committee recommends that recount officers have the power to appoint assistants, provided that the assistants were not involved in the actual counting of the ballots.

Recommendation 67 The Committee recommends that the proposed Commission establish rules to guide the recount officers and election officials in determining the validity of the ballots.

Recommendation 68 The Committee recommends that where, in a recount, there is an objection to the counting of a ballot, a candidate may request that the ballot be referred to a District Court judge for determination.

Recommendation 69 The Committee further recommends that any decision of a recount officer or of a District Court judge be subject to a final appeal to the Divisional Court.

Recommendation 70 The Committee recommends that the time limit for an elector, municipal council, school board or public utilities' commission to make an application for a recount be 30 days after the declaration of results, and further recommends that procedures for recounts be drafted in plain and unambiguous language.

Recommendation 71 The Committee recommends that the costs of recounts conducted by a recount officer and any determination of disputed ballots by a District Court judge be borne by the jurisdiction involved unless the judge directs otherwise.

Recommendation 72 The Committee recommends that, where the margin of the votes cast in a municipality, or a school board or public utilities' commission jurisdiction, is less than the total of .5 votes per voting station, a recount be held, if the candidate so requests, within seven days of the declaration of the voting results.

Recommendation 73 The Committee recommends that, where there is a tied vote, a recount be held.

Recommendation 74 The Committee recommends that municipalities, school boards and public utilities' commissions be permitted, when considered to be in the public interest, to request a recount for any office.

Recommendation 75 The Committee recommends that, where an impropriety is alleged to have occurred, any elector may request a recount by an application to a District Court judge, supported by an affidavit attesting to the impropriety. The Committee further recommends that the costs of the application be determined by the judge.

Recommendation 76 The Committee recommends that, where a District Court judge grants an application of an elector for a recount, the recount be conducted by a recount officer.

LOCAL GOVERNMENT AWARENESS

(Interim Recommendations 8: 1 - 8: 4)

The Interim Report recommended that several initiatives be undertaken to promote awareness of local government. These recommendations were extremely well received and therefore remain unchanged.

Recommendation 77 The Committee recommends that municipalities encourage, on a permanent basis, a local government awareness program which meets the needs of the entire electorate.

Recommendation 78 The Committee recommends that the Ministry of Education, in cooperation with the school boards, be encouraged to develop and implement a comprehensive local government education program for use in elementary and secondary schools.

Recommendation 79 The Committee recommends that the proposed Commission, in cooperation with the Office of the Chief Election Officer of Ontario and the Office of the Chief Electoral Officer of Canada, prepare and publish a lexicon of terminology used in the electoral process.

Recommendation 80 The Committee recommends that the proposed Commission, in cooperation with the Office of the Chief Election Officer of Ontario and the Office of the Chief Electoral Officer of Canada, develop public awareness programs relating to the electoral process.

CHANGES IN LEGISLATION, METHOD OF ELECTION, COMPOSITION OF COUNCILS OR SCHOOL BOARDS

(Interim Recommendations 9: 1 and 9: 2)

The recommendations that no changes be permitted close to the date of elections received an exceptionally high level of support and have been retained in this report.

Recommendation 81 The Committee recommends that the Legislative Assembly of Ontario not enact any legislation affecting the local government electoral process within the six months immediately preceding voting day, in an election year.

Recommendation 82 The Committee recommends that no changes in the method of election or in the composition of municipal councils or school boards be permitted after January 15th of an election year.

FILLING OF VACANCIES

(Interim Recommendations 9: 3 and 9: 4)

A majority of the respondents were not in favour of mandatory elections to fill vacancies which occur during the first two years of the term of office, but there was strong support for the method proposed for filling vacancies which occur in an election year. The high cost of a second election was the most frequently cited reason for opposition to mandatory elections in the first two years of the term.

In its second round of deliberations the Committee concluded that some jurisdictions are less able than others to afford the cost of an additional election and that it may be difficult, particularly in rural areas or in smaller communities, to find candidates to stand for office. Therefore, the Committee has devised an alternative method for filling vacancies which occur during the first two years of the term. It is the clear intent of the Committee that, if the alternative method is to apply, municipal councils must adopt the governing by-law (and school boards, the governing resolution) early in the term of office, and that the by-law or resolution may not be altered or rescinded before the next council or board takes office. The Committee firmly believes that, unless the vacancy occurs shortly before the next election, vacancies should be filled promptly, either by election or by appointment, particularly where there is a ward

system, to ensure that the electorate continues to have full representation.

Recommendation 83 The Committee recommends that, if a vacancy occurs in the office of a local member of council, an elected regional councillor or a school trustee during the first two years of office, the local council or school board be required, within 60 days after the vacancy occurs, to declare the seat vacant and to pass a by-law or resolution directing the municipal clerk to hold a new election.

Recommendation 84 The Committee recommends that a local council or school board be permitted to pass a by-law or resolution, respectively, to provide an alternative method of filling vacancies occurring within the first two years of the term of office; and that such by-law or resolution be required to be passed within three months of the date of assumption of office and to remain in effect until a subsequent local council or school board takes office.

Recommendation 85 The Committee recommends that, where a local council or school board passes a by-law or resolution in respect of the filling of vacancies occurring within the first two years of the term of office, such by-law or resolution provide as follows:

that the local council or school board be required within 60 days after the vacancy occurs to pass a by-law or resolution declaring the seat vacant and,

(a) directing the municipal clerk to hold a new election;
or

(b) authorizing an appointment to be made to fill the vacancy.

Recommendation 86 The Committee recommends that, where a vacancy occurs in the office of a local member of council, an elected regional councillor or a school trustee in an election year, the local council or school board be required, within 60 days after the vacancy occurs, to declare the seat vacant and to pass a by-law or a resolution, directing the municipal clerk to hold a new election, or to fill the vacancy by appointment, unless the vacancy occurs less than 120 days prior to voting day in an election year, in which case the vacancy need not be filled.

SHARING OF ELECTION COSTS

(Interim Recommendation 9: 5)

A majority of responses supported equal sharing of election costs between municipalities and school boards. However, the majority of school boards were opposed to this recommendation and some

municipalities commented that there should be no change in the present arrangement, as the money all comes from the same source - the public.

One of the reasons most frequently given for opposing cost sharing was that grants provided by the Ministry of Education to school boards do not take into account the cost of elections. There is a fear that funds may be diverted away from the boards' main responsibility which is the education of children. In addition, the observation was made that it would be very difficult to devise a satisfactory and equitable formula for apportioning the costs. The Committee's final decision was to delete this recommendation.

REMUNERATION/PENSION PROVISIONS FOR ELECTED LOCAL GOVERNMENT REPRESENTATIVES

(Interim Recommendation 9: 6)

The Interim Report's recommendation that continued efforts be made to effect improvements in the remuneration and pensions provided for elected local government representatives was solidly supported. Although some did not agree that these issues fall within the scope of the Committee's mandate, the Committee strongly feels that improvements in this area will encourage more people to consider running for office.

Recommendation 87 The Committee recommends that the Ministry of Municipal Affairs, in cooperation with the Ministry of Education, the Association of Municipalities of Ontario, the Ontario School Trustees' Council and the Municipal Electric Association, continue its efforts to effect improvements in remuneration and pension provisions for elected local government representatives.

PLEBISCITES

In the Interim Report, the Committee asked for comments on placing school board questions on the ballot. The response received was minimal. Most the trustees' associations with which the Committee met were of the view that school boards should have the same rights as municipal councils to place questions on the ballot. The Committee agrees that this is fair and that the rights afforded to municipal councils should be extended to school boards.

Recommendation 88 The Committee recommends that school boards be permitted to place questions pertaining to school board matters on the ballot.

SEPARATE ELECTIONS FOR SCHOOL BOARDS

The Committee asked for comment on the relative merit of holding separate elections for school boards. The response was both

minimal and negative. Objections were that separate elections would confuse the electors and might reduce voter turnout; that local taxpayers would be assessed with additional and unnecessary election costs; and that it would create extra work for municipal staff. Therefore, the Committee recommends that the election of school trustees continue to be held at the same time as municipal elections.

APPENDIX A

PRESENTATIONS MADE TO THE COMMITTEE IN RESPONSE TO THE INTERIM REPORT

Karen Morrow, President; Marilyn Rowe, Immediate Past President; Sharon Campbell, Vice-President; Bill Phillips, Executive Director; Marie Pearce, Director of Policy and Legislation, Ontario Public School Trustees' Association

Fiona Nelson, President; Margaret Hazelton, Executive Member; and Lorraine Flaherty, Executive Director, Association of Large School Boards of Ontario

Jocelyn Ladouceur, President; J-L Bourdeau, Executive Director; Executive Members Rodrigue Landriault, Charlemagne Lamarche, Aurèle Bénéteau, Normand Guillemette, Association française des conseils scolaires de l'Ontario

Father Carl Matthews, President; Omer Gagné, First Vice President; Executive Members Catherine Curran, Jack Fullerton, Lillian O'Connor, Mary Amyotte, Martha Joyce, Eugène Legault and Jim Wilson; Ernie Nyitrai, Executive Director; and Phil Traversy, Solicitor, Ontario Separate School Trustees' Association

Members of the Council of the City of Ottawa

Jean Anton, President; John Jeffs, Board Member; and Bert Shingler, Executive Director, Federation of Ontario Cottagers' Association

Donald MacDonald, Chairman; Robert Dobson, Director, Registration and Communications; Donald Joynt, Executive Director; and Gord Kushner, Director of Financial Compliance, Commission on Election Finances

Former Alderman Bill Archer; Former Alderman Patrick Sheppard; and Owen O'Reilly, Trustee, Metropolitan Toronto Separate School Board, City of Toronto Task Force to Review Municipal Election Process

Mayor Art Eggleton; Alderman Tony O'Donohue; Barbara Caplan, Acting City Clerk; Chris Dobbs, Ken Gunn, and John Hollins, Clerk's Department, City of Toronto

Matt Certosimo, Chairperson; and Tim Stutt, Communications Director, Ontario Federation of Students

A.2

Ted Bacigalupo, Deputy Reeve; and Frank Gauthier, Councillor, Township of Puslinch

Michael O'Dowd, Manager, Field Operations Branch, Ministry of Revenue

Michael Smither, Editor and Publisher, Municipal World

Mike Breaugh, MPP, Oshawa, NDP Municipal Affairs Critic

Gord Gunning, Executive Director; John Hollins, Clerk's Department, City of Toronto; Jim Anderson, Clerk, City of Cambridge; and John Nigh, Clerk, City of Scarborough, Association of Municipal Clerks and Treasurers of Ontario

APPENDIX B

BRIEFS, SUBMISSIONS, COMMENTS SUBMITTED TO THE COMMITTEE IN
RESPONSE TO THE INTERIM REPORT

Individuals

Chris Brown
Wayne Burnett
Annamarie P. Castrilli, Houser, Henry, Loudon & Syron
Stanley Cerisano
Penina Coopersmith
Ron Eade, Kitchener-Waterloo Record
Ernest S. Eaton
Ernie Eves, MPP, Parry Sound
James F. Foulds, MPP, Port Arthur
W.J. Bill Hendry
Harvey Houle
Angelo M. Lebano
Rebecca Liff
Gord McNulty, Hamilton Spectator
Alan M. Oleksuik
Prof. T.J. Plunkett, Queen's University, School of Public
Administration
Paul Roy
Rodney Saunders
Bob Sullivan
Don E. Tremblay
Ron Van Horne, Minister for Senior Citizens' Affairs

Municipalities

Town of Ajax: A.T. Hodges, Clerk

Township of Anson, Hindon and Minden: B.A. Millar, Clerk-Treasurer

Township of The Archipevalo: Lynda M. Healey, Chief Administrative Officer

Township of Atwood: P.W. Giles, Clerk

Town of Aurora: C.E. Gowan, Clerk; and L. Allison, Deputy Clerk

Township of Baldwin: Ina Mae Burk, Clerk-Treasurer

Township of Barrie: Nancy J. Cannon, Clerk-Treasurer

Township of Biddulph: Ray G. Hands, Clerk-Treasurer

Township of Black River-Matheson: T.E. Monahan, Clerk-Administrator

Town of Bracebridge: K.C. Veitch, Clerk

City of Brampton: L.J. Mikulich, Clerk/Director of Administration

County of Brant: Dan Ciona, Clerk and Treasurer

City of Brockville: S.J. Clark, Mayor

Township of Brooke: Joanne Myre, Clerk

City of Burlington: Ronald C. Lathan, Deputy Clerk; and Helen MacRae, Clerk and Director of Administrative Services

Town of Caledon: Gary A. Boyce, Clerk-Administrator

City of Cambridge: James Anderson, Clerk

Town of Campbellford: Hector L. Macmillan, Mayor

Township of Chisholm: L. Ringler, Clerk-Treasurer

Township of Clarence: Jean-Denis Hurtubise

Town of Cobourg: Richard G. Stinson, Deputy Clerk

Municipalities - Continued

Town of Cochrane: R. Roy Mitchell, Mayor

Township of Colchester North: Michael W. Girard, Clerk-Treasurer

City of Cornwall: Brian Lynch, Mayor

Township of Cumberland: Linda Dunn, Councillor

Township of Dalton: Harold Bruce, Reeve

Township of Day and Bright Additional: Gwen M. Mosher, Clerk-Treasurer

Township of Delhi: R.K. Granger, Clerk

Township of Downie: Muriel King, Clerk-Treasurer

Village of Dutton: Helen R. Schram, Clerk-Treasurer

Town of Dryden: H.B. Hoffstrom, Clerk

Town of Dundas: J. Robert Gerrie, Clerk

Town of East Gwillimbury: J.F. Hopkins, Clerk-Administrator

Borough of East York: William Alexander, Jr., Clerk

Township of Egremont: Vietta Watson, Clerk-Treasurer

Township of Ekfrid: Janneke Newitt, Clerk-Treasurer

Town of Elliot Lake: L. Burling, Clerk

Township of Erin: R.M. Clarke, Clerk/Office Administrator

Town of Essex: D.R. Emmons, Administrator

City of Etobicoke: R.F. Cloutier, Clerk

Town of Exeter: Laurie Dykstra, Deputy Clerk-Treasurer; and Elizabeth Bell, Clerk-Treasurer

County of Frontenac: Steven G. Silver, Clerk-Administrator

Township of Georgian Bay: Tina Agnello, Clerk-Treasurer

Village of Glencoe: W.L. Black, Clerk-Treasurer

Municipalities - Continued

Town of Goderich: Larry J. McCabe, Administrator/Clerk-Treasurer

Town of Gravenhurst: John R. McColl, Chief Administrative Officer & Clerk

Town of Grimsby: R.C. Bracher, Administrator

City of Hamilton: E.A. Simpson, Clerk; and John Smith, Alderman, Ward 6

Regional Municipality of Hamilton-Wentworth: William L. Sears, Chairman

Town of Harrow: Peter Timmins, Mayor

Regional Municipality of Haldimand-Norfolk: Keith F. Richardson, Chairman

Township of Hay: J.M. Ducharme, Clerk-Treasurer

Town of Hearst: Louis Corbeil, Clerk

Township of Hilton: E. Ann Langer, Clerk-Treasurer

Village of Hilton Beach: Gloria Fischer, Clerk-Treasurer

Town of Huntsville: Edward H. Hares, Clerk-Administrator

Village of Iron Bridge: Noella Brown, Clerk-Treasurer

Town of Iroquois Falls: John J. Buchan, Clerk-Administrator

Town of Kapuskasing: J. Langsford, Clerk/Administrative Assistant

County of Kent: R.H. Foulds, Clerk-Administrator

Town of Kincardine: Charles Mann, Mayor; and Glenn R. Sutton, Councillor

Township of King: C.H. Duncan, Clerk

City of Kingston: Marion Rogers, Acting Clerk

Township of Kingston: Isabel Turner, Reeve

City of Kitchener: R.W. Pritchard, Commissioner of General Services and Clerk

Municipalities - Continued

Township of Laird: Phyllis L. MacKay, Clerk-Treasurer

Town of Latchford: Lynne M. Godden, Clerk

Township of Lavant, Dalhousie and North Sherbrooke: Mary Kirkham, Clerk

Town of Leamington: William J. Marck, Clerk

Township of Front of Leeds and Lansdowne: Ronald A. Wood, Clerk-Administrator

Town of Lincoln: Michael F. Duc, Clerk

Township of Lobo: Sharon A. McMillan, Clerk-Administrator

Township of Logan: Margaret Scherbarth, Clerk-Treasurer

City of London: K.W. Sadler, Clerk

Township of London: Albert F. Bannister, Administrator and Clerk

Township of Macdonald, Meredith and Aberdeen Additional: Jean Robbins, Clerk-Treasurer

Township of Mersea: Lynn Foster, Clerk Administrator

Township of Michipicoten: K.P. Zurby, Chief Administrative Officer/Clerk

County of Middlesex: R.E.F. Eddy, Administrator-Clerk

City of Mississauga: Terence L. Julian, Clerk

Township of Morris: Nancy Michie, Clerk-Treasurer

District Municipality of Muskoka: Allen Sander, Chairman

Township of Muskoka Lakes: P.H. Davidson, Clerk Administrator

Township of Nairn: Robert Deschene, Clerk

Town of Napanee: H.W. Webster, Mayor

City of Nepean: D.E. Hobbs, Clerk

Regional Municipality of Niagara: Peter Sobol, Councillor; and M.H. Boggs, Chief Administrative Officer

Municipalities - Continued

City of Niagara Falls: Paul J. Brennan, Clerk

Township of Norfolk: R.A. Loncke, Clerk-Administrator

Township of North Dorchester: Clyde Walton, Clerk-Administrator

Township of The North Shore: Kathryn McCarty, Clerk-Treasurer

City of North York: B. MacLeod, Clerk; and Bob Yuill, Controller

Township of Oakland: Joe Keresturi, Reeve

Town of Oakville: D.W. Brown, Clerk

City of Oshawa: James H. Potticary, Alderman

City of Ottawa: J.R. Cyr, Clerk

Town of Penetanguishene: Don McNee, Chairman, Administration and Finance Committee

County of Perth: J.A. Bell, Clerk-Treasurer

Township of Plummer Additional: Betty Millar, Clerk

Township of Plympton: Archie McKinlay, Clerk

Village of Point Edward: Jerry K. Langner, Clerk-Treasurer

Township of Powassan: Joyce Croteau, Clerk-Treasurer

Township of Puslinch: Archie MacRobbie, Reeve; and Brenda Beatson, Clerk-Treasurer

Town of Rayside-Balfour: R.J. Leclair, Clerk-Administrator

Town of Richmond Hill: R.J. Douglas, Clerk

Township of St. Joseph: A. Michael Jagger, Clerk-Treasurer

City of St. Thomas: Peter J. Leack, Clerk; and James Gubinczki, Treasurer

City of Sarnia: Ann Tuplin, Clerk

City of Scarborough: J.W. Nigh, Clerk; and J.J. Poots, Senior Commissioner and Associate Clerk

Municipalities - Continued

Township of Sebastopol: Rosemary Cammaert, Councillor

Improvement District of Shedden: Mary Bray, Secretary-Treasurer

Township of Sherwood, Jones & Burns: Robert J. Norlock, Clerk-Treasurer

Township of Sidney: E.H. Lyons, Clerk

Township of South Crosby: C. Robert Smith, Reeve

Township of South Dumfries: James G. Wilson, Clerk-Treasurer

Township of The Spanish River: Austin Clipperton, Clerk-Treasurer

City of Stratford: R. Schulthies, Clerk-Administrator

Town of Strathroy: V.M. Tait, Clerk-Treasurer

City of Sudbury: Ellen Kerr, Director of Administration and Clerk

Township of Tarbutt and Tarbutt Additional: Pilvi Court, Clerk-Treasurer

Township of Terrace Bay: L.H. Simons, Clerk-Coordinator

City of Toronto: B. Caplan, Acting City Clerk

Town of Thessalon: Robert P. MacLean, Clerk-Treasurer

Township of Thessalon: John MacLean, Clerk

Township of Thompson: Sandra Tonelli, Clerk-Treasurer

City of Thunder Bay: H.T. Kirk, Clerk

City of Timmins: R.J. Watson, Deputy Clerk

City of Trenton: Neil F. Robertson, Mayor

Township of Val Rita-Harty: Christiane Rochon, Clerk-Treasurer

Town of Valley East: Diane Trottier, Deputy-Clerk

Town of Vankleek Hill: Gérard Sauvé, Clerk-Treasurer

Municipalities - Continued

City of Vanier: Gisèle Lalonde, Mayor

City of Waterloo: L.J. Ayers, Deputy Clerk

Township of Woolwich: Kris Fletcher, Clerk

City of York: C. Rodrigo, Clerk; and Phil White, Controller

School Boards

Dufferin-Peel Roman Catholic Separate School Board:
Robert F. Hall, Chairman of the Board
John Mastromatteo, Chairman, Policy & Resolutions Committee
L. Gandolfo
C. Gauthier
R. Lachaine

Durham Board of Education:
R.D. Peel, Superintendent of Operations

Dryden Board of Education:
N.I. Reed, Superintendent of Business and Finance

Huron County Board of Education:
R.B. Allan, Director of Education

Kent County Roman Catholic Separate School Board:
Earl H. Lozon, Director of Education

City of London Board of Education:
William H. Brock, Chairman
T.R. Moore, Executive Secretary

Metropolitan Separate School Board:
Rev. C.J. Matthews, Chairman
Berchmans Kipp, Director of Education

Ottawa Roman Catholic Separate School Board:
Eugène-R. Touchette, Manager, Board Services

Oxford County Board of Education:
John Young, Secretary of the Board

Peel Board of Education:
Margaret McKee, Chairman of the Board

Sault Ste. Marie District Roman Catholic Separate School Board:
J.D. Larue, Chairman of the Board
J.R. Cameletti
W. DeLuca
M. Wozny

Toronto Board of Education:
Peter Dorfman, School Community Advisor, Area North

Waterloo County Board of Education:
Elizabeth Witmer, Chairman of the Board

School Boards - Continued

Wellington County Separate School Board:

M.B. Kiely, Director of Education

York Region Board of Education:

Dorothy J. Street, Executive Assistant to the Director of Education

York Region Roman Catholic Separate School Board:

John Zupancic, Director and Education and Secretary Treasurer

Public Utilities' Commissions

Blenheim Public Utilities' Commission:
T.R. Gawley, Manager

Brampton Hydro:
William J. Baillie, Vice-Chairman

Brockville Public Utilities' Commission:
D.E.F. Blachford, Chairman

Town of Markham Hydro Electric Commission:
D.H. Cockburn, Vice Chairman

Peterborough Utilities' Commission:
E.A. Williams, Commission Secretary

Windsor Utilities' Commission:
H.R. Soutar, General Manager

Local Government Associations

Association of Large School Boards of Ontario:
Fiona Nelson, President

Association of Municipalities of Ontario:
John Gerretsen, President

Association of Municipal Clerks and Treasurers of Ontario:
Gordon E. Gunning, Executive Director and Secretary-Treasurer

Eastern Ontario Municipal Water Association:
H.F. McCoubrey, Secretary-Treasurer

Federation of Ontario Cottagers' Association Inc.:
Rejeanne S. Anthon, President

Lacloche Foothills Municipal Association:
Eva Fraser, President

Municipal Electric Association:
J.R. O'Brien, Chairman

Manitoulin Municipal Association:
Boyne Heise, Secretary

Northern Ontario School Trustees' Association:
Wayne E. Perry, Executive Director

Ontario Municipal Water Association:
A.L. Furanna, Secretary

Ontario Public School Trustees' Association:
William J. Phillips, Executive Director

Ontario School Trustees' Council:
William Kent, Chairman

Ontario Separate School Trustees' Association:
Ernest F. Nyitrai, Executive Director

Organization of Small Urban Municipalities:
B.W. Baxter, Secretary

Temiskaming Municipal Association:
D. Houston, Secretary

Local Government Associations - Continued

Union des Municipalités du Québec:
Raymond L'Italien, General Manager

Union of Nova Scotia Municipalities:
Sherman Zwicker, Executive Director

Provincial Ministries/Agencies

Ontario

Warren R. Bailie, Chief Election Officer

Commission on Election Finances:
Donald C. MacDonald, Chairman

Ministry of Revenue: Noreen Gomes, Director,
Guaranteed Income and Tax Credit Branch

Other

Manitoba Municipal Affairs: F.R. Dennis, Director, Advisory and
Financial Services

Other Groups

Advisory Council on Multiculturalism and Citizenship:
Stanley W. Frolick, President

Alma Mater Society of Queen's University Inc.:
Michelle Lally, Vice-President (University Affairs)

Carleton University Students' Association Inc.:
Beth Brown, V.P. External

Cognashene Cottagers' Association:
Christopher Baines, President

Farren Lake Association:
Mary Thompson, President

Healey Lake Cottagers' Association:
James Peters, President

Jack Lake Cottagers' Association:
Rod Crawford, President

Lakehead University Student Union:
Wayne Ivey, President

Miskwabi Area Cottagers' Association Inc.:
J.G. Strickland, President

Ontario Community Newspapers Association:
E.C. Lydan, Executive Director

Ontario Federation of Students:
Matt Certosimo, Chairperson

Ontario Institute for Studies in Education:
E. Humphreys,
S. Lawton,
R. Townsend

People for Sunday Association:
Les Kingdon, Executive Director

Ryerson Polytechnical Institute Student Union:
Greg Aucoin, Vice President, Education

Sans Souçi and Copperhead Association:
C.W. King, President

Other Groups - Continued

Shawano Cottagers' Association:
Grant Boundy, President

Skeleton Lake Association:
Robert B. Frewin, President

Univerity of Waterloo Federation of Students:
Ian R. Mitchell, Chairperson, Board of External Liaison

West Shore Shebe Cottagers' Association:
Patricia Bradley, Acting Secretary

Wilfred Laurier University Students' Union:
Jeff Burchill, Vice-President, University Affairs

York Federation of Ratepayers:
C.M. Stickley, Secretary

APPENDIX C

MINISTRY OF MUNICIPAL AFFAIRS STAFF MEMBERS PROVIDING ASSISTANCE
TO THE COMMITTEE

Eric Fleming, Deputy Minister (Acting), Municipal Affairs

Alan Dewar, Director, Provincial-Municipal Affairs Secretariat

David K. Martin, Chief Negotiator, Municipal Boundaries Branch

Lynne Peterson, Policy Advisor, Organization Policy Section,
Local Government Organization Branch

Brian Loreto, Consultant, Local Government Organization Branch

Colleen Sharen, Assistant Researcher, Local Government
Organization Branch

Doug Raven, Management Policy Advisor, Administrative Management
Section, Municipal Management Policy Branch

Heather Adams, Coordinator, Programs, Head Office,
Field Services Branch

James Ayres, Solicitor, Municipal Affairs, Legal Services Branch

Nigel Atkin, Coordinator, Municipal Affairs,
Communications Branch



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